

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MEMO ENDORSED

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

RCG ADVANCES, LLC, a limited liability company, f/k/a Richmond Capital Group, LLC, also d/b/a Viceroy Capital Funding and Ram Capital Funding,

RAM CAPITAL FUNDING LLC, a limited liability company,

ROBERT L. GIARDINA, individually and as an owner and officer of RCG ADVANCES, LLC,

JONATHAN BRAUN, individually and as a *de facto* owner and an officer or manager of RCG ADVANCES, LLC, and

TZVI REICH, a/k/a Steven Reich, individually and as an owner and officer of RAM CAPITAL FUNDING LLC, and as a manager of RCG ADVANCES, LLC, Defendants.

Case No.: 20-CV-4432 (LAK)

**NOTICE OF MOTION TO DISMISS**

**Oral Arguments Requested**

*Motion DENIED substantially for reasons stated in Plaintiff's memorandum.*

SO ORDERED

  
LEWIS A. KAPLAN, USDJ

Dated: 10/30/2020

**PLEASE TAKE NOTICE**, that upon the Declaration of Anthony C. Varbero, dated August 21, 2020 and all exhibits annexed thereto, and the Memorandum of Law in Support, dated August 21, 2020, and upon all prior pleadings and proceedings heretofore had herein, the undersigned, as counsel to Defendants RCG Advances, LLC and Robert Giardina (the "Defendants"), will move this Court, in the United States District Court for the Southern District